

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

Zoe Marsh-Leigh) 23cv3215
 ,) Judge Rowland
) Magistrate Judge Jantz
Plaintiff(s),) Randomly Assigned CAT 4
)
vs.) Case No.
Delta Airlines, INC,)
ED Bastian,)
Defendant(s).)

RECEIVED

MAY 22 2023 JB

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

COMPLAINT FOR VIOLATION OF CONSTITUTIONAL RIGHTS

This form complaint is designed to help you, as a pro se plaintiff, state your case in a clear manner. Please read the directions and the numbered paragraphs carefully. Some paragraphs may not apply to you. You may cross out paragraphs that do not apply to you. All references to "plaintiff" and "defendant" are stated in the singular but will apply to more than one plaintiff or defendant if that is the nature of the case.

1. This is a claim for violation of plaintiff's civil rights as protected by the Constitution and laws of the United States under 42 U.S.C. §§ 1983, 1985, and 1986.
2. The court has jurisdiction under 28 U.S.C. §§ 1343 and 1367.
3. Plaintiff's full name is Zoe Marsh-Leigh.

If there are additional plaintiffs, fill in the above information as to the first-named plaintiff and complete the information for each additional plaintiff on an extra sheet.

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

4. Defendant, Delta Airlines INC, ED Bastien, is
(name, badge number if known)

an officer or official employed by _____;
(department or agency of government)

or

an individual not employed by a governmental entity.

If there are additional defendants, fill in the above information as to the first-named defendant and complete the information for each additional defendant on an extra sheet.

5. The municipality, township or county under whose authority defendant officer or official acted is Atlanta, Georgia. As to plaintiff's federal constitutional claims, the municipality, township or county is a defendant only if custom or policy allegations are made at paragraph 7 below.

6. On or about February, 9th 2022, at approximately 9 a.m. p.m.
(month, day, year)
plaintiff was present in the municipality (or unincorporated area) of Hartsfield - Jackson
Airport, in the County of Fulton,
State of Illinois, at _____,
(identify location as precisely as possible)

when defendant violated plaintiff's civil rights as follows (*Place X in each box that applies*):

- arrested or seized plaintiff without probable cause to believe that plaintiff had committed, was committing or was about to commit a crime;
- searched plaintiff or his property without a warrant and without reasonable cause;
- used excessive force upon plaintiff;
- failed to intervene to protect plaintiff from violation of plaintiff's civil rights by one or more other defendants;
- failed to provide plaintiff with needed medical care;
- conspired together to violate one or more of plaintiff's civil rights;

Other:

Violation of the equality act

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

7. Defendant officer or official acted pursuant to a custom or policy of defendant municipality, county or township, which custom or policy is the following: (*Leave blank if no custom or policy is alleged*): _____

8. Plaintiff was charged with one or more crimes, specifically:

9. (*Place an X in the box that applies. If none applies, you may describe the criminal proceedings under "Other"*) The criminal proceedings
 are still pending.
 were terminated in favor of plaintiff in a manner indicating plaintiff was innocent.¹
 Plaintiff was found guilty of one or more charges because defendant deprived me of a fair trial as follows _____
_____.
 Other: _____

¹Examples of termination in favor of the plaintiff in a manner indicating plaintiff was innocent may include a judgment of not guilty, reversal of a conviction on direct appeal, expungement of the conviction, a voluntary dismissal (SOL) by the prosecutor, or a *nolle prosequi* order.

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

10. Plaintiff further alleges as follows: (*Describe what happened that you believe supports your claims. To the extent possible, be specific as to your own actions and the actions of each defendant.*)

For the past year, and some months. I have had issues with Delta Airlines when it comes to my sexual orientation and my clothing brand. February 9th 2022 was the first incident. I was called an "It", "Him" repeatedly. I was told I couldn't wear my clothing brand due to the words. Delta Airlines doesn't have a dress code. I wrote the CEO of Delta. I received a response, with an apology, and was told I would have no issue again. June 3rd 2022 I was told I couldn't get on plane unless I changed my shirt, and was called Sir multiple times. ~~March~~ May 19th 2023, I was told I had to take my hat off, 20 mins before flight landed, and was called "Sir" multiple times. The staff refuses to ask my pronouns before they even speak to me.

11. Defendant acted knowingly, intentionally, willfully and maliciously.

12. As a result of defendant's conduct, plaintiff was injured as follows:

Ongoing anxiety, ad depression, uncontrollable crying and worrying, stomach pain, been hospitalized 3 times, due to stress.
Suicidal.

13. Plaintiff asks that the case be tried by a jury. Yes No

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

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14. Plaintiff also claims violation of rights that may be protected by the laws of Illinois, such as false arrest, assault, battery, false imprisonment, malicious prosecution, conspiracy, and/or any other claim that may be supported by the allegations of this complaint.

WHEREFORE, plaintiff asks for the following relief:

- A. Damages to compensate for all bodily harm, emotional harm, pain and suffering, loss of income, loss of enjoyment of life, property damage and any other injuries inflicted by defendant;
- B. (*Place X in box if you are seeking punitive damages.*) Punitive damages against the individual defendant; and
- C. Such injunctive, declaratory, or other relief as may be appropriate, including attorney's fees and reasonable expenses as authorized by 42 U.S.C. § 1988.

Plaintiff's signature:

Zoe Marsh-Legh

Plaintiff's name (*print clearly or type*):

Zoe Marsh-Legh

Plaintiff's mailing address:

600 N Lake Shore Drive Apt 2209

City

Chicago

State

IL

ZIP

60611

Plaintiff's telephone number:

(312) 358-1112

Plaintiff's email address (*if you prefer to be contacted by email*):

Leighzoe23@gmail.com

15. Plaintiff has previously filed a case in this district. Yes No

If yes, please list the cases below.

Any additional plaintiffs must sign the complaint and provide the same information as the first plaintiff. An additional signature page may be added.

My name is Zoe Leigh. On Wednesday, February 9, 2022 at 9:28am while traveling to Chicago to surprise my 73 year old mother, whose birthday was the day prior, Tuesday, February 8th. I experienced an incident that I felt needed to be brought to your attention.

While walking on the plane I was advised by a flight attendant to go back out to the gate and speak to the gate agent about the t-shirt I was wearing. I walked back out, as requested and asked the gate agent what the issue was. She didn't say much , she just kept asking my name, I couldn't understand why because she could clearly see my boarding pass. She then contacted someone on the radio, and said " he's off the plane" I replied " I am a she.. first off." She then went on to speak to someone on the phone , and referred to me as "It".. at this point I'm trying to remain calm, because not only was I in jeopardy of missing my flight, not once did the gate agent apologize for calling me a man, a thing or an it. This was extremely unsettling to me. The supervisor finally comes (Tasha Briggs). Mrs. Briggs was very respectful. I let them both know that the gate agent is violating my 1st amendment, also that Delta needs to train their employees when it comes to pronouns and LGBTQ passengers. I asked for the gate agent names numerous times. She refused to acknowledge me. Mrs. Briggs asked who had an issue with my shirt, the gate attendant said the flight attendants, which I was advised was incorrect (I was shown the message). It was the gate agent who had an issue. Mrs. Briggs said she would speak to the flight attendants, because they weren't supposed to show me the message. I totally understand, but the fact is I saw the message, and the gate agent was extremely disrespectful to me more than once. I was eventually allowed back on the flight. I asked one more time what her name was, and I was told it was Nina.

I have a clothing brand called Uncomfortable Truth Lifestyle. I have worn my apparel many times on flights. I travel a lot for a living. I am a silver medallion member and I am an assistant to a couple of celebrities (one that is very close with Bernie Sanders) I'm also good friends with Alicia Garza, one of the founding members of #BlackLivesMatter hashtag & happens to be a celebrity ambassador. I am 36 years old, and I've never been (almost) kicked off a flight, luckily I had a jacket.

Nina never apologized for calling me a "He, and "It." This is beyond disrespectful and embarrassing. As I was getting off the plane, the man sitting across from me was wearing a black undershirt (a tank top that goes under your shirt) but he was white. If you're going to enforce a policy, you should make sure it applies to everyone. After reviewing the delta dress code policy I found the following:

We don't have an item-specific clothing policy, but we encourage no swimwear, sleepwear or underwear as your outerwear - Delta

I plan on taking Delta and Nina to the US District court, for violating my 1st amendment, and I plan on speaking with a Human Rights lawyer. I felt embarrassed, upset and disappointed. I was treated like I was one of the people attacking the capitol on January 6th.

Date of incident: February 9th 2022

Time of incident: 9:25 am

Gate number: 50

Flight number: 2483

Flight

DL2920

On June 3rd 2022

Waiting on my delayed flight to arrive.

I saw a flight attendant say something to the gate agent about my shirt.

I waited to board the flight last. The gate agent told me that I had to change my shirt because the pilot said I couldn't get on the flight. I started to record and I asked to speak to a supervisor. Two supervisors came over.. very nice . The gate agent was also nice, and explained to the gate agents the situation. The supervisor asked

did I have another shirt.. I tried to show her the email from the last incident, and I was able to wear my clothing line. She said she can't do anything, it's the pilot's call. So I asked to speak to the Pilot.

The gate agent went to get the pilot , and the pilot wouldn't come and speak to me, but gave me an ultimatum. I don't understand why the pilot had an issue with my shirt, because one I never saw the pilot ,and second, he's flying the plane, so I'm not sure why my shirt would be a concern of his. The supervisor did message the flight attendant and said she had to write the reason why I can't get on the flight, if I didn't change my shirt. It took the flight attendants 5 minutes to write something, because I guess they assumed I wasn't going to get on the flight, and be aggressive.

As I said in the email back in February. I travel very often for work. And I had to be in Chicago, at a certain time, so I had to make this flight. So I had to turn my tee shirt inside out. But to be humiliated and embarrassed. Because your staff is racist and prejudiced. The world is falling apart, 10 kids were killed two weeks ago, 10 people were killed in Buffalo just shopping, a shooting in Tulsa just happened at a hospital killing 4 people. And my shirt on a flight I paid for is offensive?, to the extent, I have to change ? The plane is not a social gathering, people don't get up and start chit chatting. We remain in our seats unless we have to use the bathroom. So I don't understand how my shirt is offensive while remaining seated in my seat.

Also when I was asked to turn my shirt inside out, they also asked me , will there be any problems when I get on the plane. I wasn't rowdy in the first place, I never raised my voice, I just asked why do I have to turn my shirt inside out, when your headquarters said Delta has no dress code, and I'm able to wear my clothing brand.

I turned my shirt inside out and proceeded to walk on the plane.. With the whole plane looking at me . I walked to my seat. A person was sitting in my seat. Another flight attendant apologized and said he assumed that I wasn't coming.

My clothes don't define the type of person I am. My brand is a lifestyle brand that I started for this very reason. Last time I was giving 30,000 bonus miles and an apology on behalf of the gate agent from the last incident, which didn't fix anything. I am losing potential money, because I can't wear my shirt, while I'm on a flight that I paid for, and on a airline that told me via email, "That said, admittedly, our service missed the mark when you were asked to cover your shirt. In the future, please know you are welcome to wear your clothing brand without worry, as the language should not have triggered our employees to request you to change or cover it up. Rest

assured, we have also taken the appropriate informative steps to internally address and follow up on this matter with all those involved at the station as well.

Zoe, I truly do wish I could take this entire experience of embarrassment and disappointment and replace it with a better one. “

And this is very inaccurate

“Our longstanding commitment to the LGBTQ+ community is a point of pride for us. On a global level, we celebrate diversity and promote unity and equal rights in every community we serve. On a personal level, we provide you with outstanding service and industry-leading amenities you need to start every journey right.”

This was worst than the first experience.

My civil rights are constantly getting violated

Zoe Leigh
(312) 358 - 1112

Hello My name is Zoe Marsh-Leigh

I have complained 3 different times since February 9th 2022, about Delta giving me a hard time when it comes to my clothing brand on the flight. I have also pursued a lawsuit about the discrimination I receive due to my sexual orientation.

Delta Airlines keeps violating my 1st amendment, and also needs class on pronouns and when it comes LGBTQ passengers. I am a masculine presenting lesbian, who has a clothing brand called Uncomfortable Truth Lifestyle. This is my third time being approached about my clothing line, and someone finding it offensive.

This time it happened to be with us currently flying in the air and almost 20 minutes to the destination. The flight leader of the craft, who also was gay, was told by someone that they found my hat and shirt offensive, and I was asked to remove it. I simply asked " How is my hat , shirt bothering anyone if I'm sitting in a row, minding my business? My hat is to the front, so a person who has to turn their whole full body and look at me the whole time. I'm in row 36C . I don't ever get up to use the bathroom, I don't stand in the aisle, and talk to people, my hat doesn't have flashing lights, and makes noises, for attention. The flight leader thought I was a guy, because whomever told him my outfit was inappropriate told him that. And that's the issue. My feminine friends and customers never get stopped for wearing my product on the plane, but a few men passengers have, and me, because delta employees and customers assume I am a male.

I have been working with a law firm in Georgia, trying to settle this out of court. But I'm not sure what is the hold up, which I'm told we are waiting on Delta. So I have decided that I'll be filling a federal lawsuit against Delta Airlines, since I'm still having issues when it comes to flying in peace, and being discriminated against.

I have also attached a picture of where I was sitting, because I would like for you to see how far I was sitting away . This is my 3rd letter to the CEO. At this point I'm demanding to speak with the CEO, and figure out a solution. I am a comedian, who recently just started my Dick Gregory Taught Me tour (I managed Dick Gregory for the last 4 years of his life), and I have. 20 different tour dates, and Delta has become a part of my act. I'm tired of being hassled and being discriminated against. There's too much going on in the world, to worry about a shirt that isn't offensive at all.

DL 1477

HW32X5



deltaexecutiveoffice@delta.com



Compose

Inbox 7,278

Hello Zoe,

Starred

RE: Case 04848180

Snoozed

Thank you for your patience while we investigated your concerns regarding your recent travel on Delta F

Sent

Please know at Delta, we strive to be a leader with regard to diversity, equity inclusion and respecting al

Drafts 157

As a global carrier with a diverse workforce, serving a diverse customer base, we are committed to treat

More

As such, I want to assure you that we have taken your concerns about feeling discriminated against very

Labels

[Gmail] Trash 4

Our reports state that after receiving a complaint from another passenger regarding the wording of your she had already called for a supervisor and was completing the boarding process.

Notes

The report goes on to state that the supervisor arrived at the gate before the boarding process was com reported that the gate agent had called you "Sir" and was rude and dismissive in nature.

She states that she immediately apologized on behalf of Delta Airlines for both the inconvenience and fo regarding their inappropriate use of pronouns. She states that when she spoke to the employee about u:

As such, while we sincerely regret that the actions of our personnel may have been misconstrued, we ha

However, as in any situation such as this, I would also like to personally assure that your comments abo

More importantly, I want to assure you that I recognized from reading your email that this was very ups you were left feeling embarrassed, disappointed, and upset. Please know, courtesy of any sort is not i

That said, admittedly, our service missed the mark when you were asked to cover your shirt. In the futu

Zoe, I truly do wish I could take this entire experience of embarrassment and disappointment back and i experience is more like the ones you've grown to expect from Delta in the past as a Silver Medallion wit

I hope you will accept my sincere apology and my assurance once again that this incident has been appr

Kind Regards,

Erica Adams
Executive Assistant
Delta Air Lines, Inc.



Zoe Leigh <leighzoe23@gmail.com>

Fwd: [EXTERNAL] Lawsuit - Prejudice and violation of my 1st amendment rights [ref:_00D1aY3af._5001P1L0LaA:ref]

1 message

Zoe Leigh <mrstealyourwig@gmail.com>
To: "uncomfortabletruthapparel@gmail.com" <leighzoe23@gmail.com>

Sent from my iPhone

Begin forwarded message:

From: Delta Executive Office <deltaexecutiveoffice@delta.com>
Date: March 15, 2022 at 6:31:43 PM CDT
To: MRSTEALYOURWIG@gmail.com
Subject: FW: [EXTERNAL] Lawsuit - Prejudice and violation of my 1st amendment rights [ref:_00D1aY3af._5001P1L0LaA:ref]

Hello Zoe,

RE: Case 04848180

Thank you for your patience while we investigated your concerns regarding your recent travel on Delta Flight 2483 from Atlanta to Chicago - Midway on February 9, 2022. We were very concerned to read about your experience and perception that our gate agent discriminated against you while traveling with us. I understood from reading your email that this was a very upsetting experience for you, and for that I truly do apologize.

Please know at Delta, we strive to be a leader with regard to diversity, equity inclusion and respecting all of our customers throughout the world and in our country. We work hard to hold ourselves accountable to these goals, and believe we need to shine a light on situations that fall short of either not saying anything or not enough when something like this happens.

As a global carrier with a diverse workforce, serving a diverse customer base, we are committed to treating all passengers equally and have implemented supporting programs, policies, trainings, and procedures to help employees in these areas. Additionally, Delta people are encouraged to celebrate diversity, both seen and unseen. We recognize that a culture of inclusion is core to making everyone feel safe, valued, and accepted.

As such, I want to assure you that we have taken your concerns about feeling discriminated against very seriously and have conducted a full investigation with the employee and their manager. Allow me to explain our findings;

Our reports state that after receiving a complaint from another passenger regarding the wording of your shirt, the gate agent sent a message down to the flight crew advising that your shirt could be seen as "inappropriate apparel" and requesting that you come back up to the gate area. The report states that when you arrived back up to the gate area you asked, "what's the problem?" and were advised by the gate agent that she would be right with you as she had already called for a supervisor and was completing the boarding process.

The report goes on to state that the supervisor arrived at the gate before the boarding process was completed, so the decision was made that she would continue the conversation with you instead in an effort to apologize for the experience and deescalate the situation. Our supervisor states that you explained that you were upset because not only had the flight attendant shown you the message they had received regarding your shirt, but that you also reported that the gate agent had called you "Sir" and was rude and dismissive in nature.

She states that she immediately apologized on behalf of Delta Airlines for both the inconvenience and for being called a sir. She states that she did however unknowing of the policy ask if you had a jacket to put on to cover up what she believed to be an inappropriate word on your shirt, to which you replied yes and agreed to. She states that after you put your jacket on you proceeded to board the flight at which point, she also engaged the employees regarding their inappropriate use of pronouns. She states that when she spoke to the employee about using the incorrect pronoun of Sir when speaking with you, the employee immediately apologized and stated, "it was an honest mistake."

As such, while we sincerely regret that the actions of our personnel may have been misconstrued, we have found no evidence that any form of discrimination was exhibited.

However, as in any situation such as this, I would also like to personally assure that your comments about how you felt this situation was handled have been shared with the appropriate leadership teams for internal review with the employees involved.

More importantly, I want to assure you that I recognized from reading your email that this was very upsetting experience for you and for that I sincerely apologize. I cannot stress enough that we would never want to show you any unkindness or disrespect and I am sorry you were given such a poor impression of Delta Air Lines in this instance. I hear you when you say that our employee was rude during your interaction and can certainly understand why you were left feeling embarrassed, disappointed, and upset. Please know, courtesy of any sort is not tolerated from our employees.

That said, admittedly, our service missed the mark when you were asked to cover your shirt. In the future, please know you are welcome to wear your clothing brand without worry, as the language should not have triggered our employees to request you to change or cover it up. Rest assured, we have also taken the appropriate informative steps to internally address and follow up on this matter with all those involved at the station as well.

Zoe, I truly do wish I could take this entire experience of embarrassment and disappointment back and replace it with a better one. Since I can't do that, I would like for you to have a gesture of goodwill and apology. It's for this reason that I'll be adding 30,000 bonus miles to your SkyMiles account. They should be transferred into your account within three business days. My hope is that you can use the miles towards another trip, one where your experience is more like the ones you've grown to expect from Delta in the past as a Silver Medallion with us.

I hope you will accept my sincere apology and my assurance once again that this incident has been appropriately addressed. I know this was far from a great experience but in time, we hope you will give us another opportunity to restore your confidence and demonstrate that we can provide the service you have every right to expect and deserve.

Kind Regards,

Erica Adams
Executive Assistant
Delta Air Lines, Inc.

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[ref:_00D1aY3af._5001P1L0LaA:ref]

----- Original Message -----

From: zoe leigh [mrstealyourwig@gmail.com]
Sent: 3/7/2022 2:58 PM
To: deltaexecutiveoffice@delta.com
Subject: [EXTERNAL] Re: Lawsuit - Prejudice and violation of my 1st amendment rights [ref:_00D1aY3af._5001P1L0LaA:ref]

This message is from an EXTERNAL SENDER - be CAUTIOUS, particularly with links and attachments.

I have not heard anything back.. I plan to file suit on Thursday.

Thank you
Zoe Leigh
312 358 1112

Sent from my iPhone

On Feb 14, 2022, at 7:19 PM, Delta Executive Office <deltaexecutiveoffice@delta.com> wrote:

Hello Ms. Leigh,

RE: Case 04848180

Thank you for your email to our CEO, Ed Bastian. Please accept our apology for the events you described.



Zoe Leigh <leighzoe23@gmail.com>

[EXTERNAL] Flight DL2920 Second time violating my civil rights and freedom of speech**[ref: _00D1aY3af._5001P1PUr3K:ref]**

1 message

Delta Air Lines <wecare@delta.com>
To: "leighzoe23@gmail.com" <leighzoe23@gmail.com>

Sun, Jun 26, 2022 at 11:21 AM

Hello Zoe,

RE: Case 05403159

Thank you for your reply. I am so sorry that you were disappointed with my previous response or felt that your concerns were not taken seriously. Please know that was never my intention.

While you again have our assurance that both our In-Flight and Airport Leadership teams are actively working together to establish the most effective methods for distributing our Executive Leadership's views on your clothing line, we would need to respectfully decline any compensation, as we are confident our employees were not acting maliciously when they asked you to turn your shirt inside out before boarding.

With that said, please allow me to emphasize that we sincerely regret any upset or inconvenience these incidents may have caused you and provide our assurance once again that Delta leadership has reviewed your clothing line and does not consider it to be offensive. More importantly, Zoe, we welcome you and your clothing line onboard future Delta flights! In the meantime, please take care.

Kind Regards,

Erica Adams
Executive Assistant
Delta Air Lines, Inc.

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[ref: _00D1aY3af._5001P1PUr3K:ref]

----- Original Message -----

From: zoe leigh [leighthzoe23@gmail.com]

Sent: 6/25/2022 10:13 AM

To: deltaexecutiveoffice@delta.com

Subject: Re: [EXTERNAL] Flight DL2920 Second time violating my civil rights and freedom of speech [ref:_00D1aY3af._5001P1PUr3K:ref]

So I don't receive anything for my troubles?

Sent from my iPhone

On Jun 19, 2022, at 4:47 PM, Delta Executive Office <deltaexecutiveoffice@delta.com> wrote:

Hello Zoe,

RE: Case 05403159

Thank you for your patience while we investigated your concerns regarding your recent travel on Delta Flight 2920 from Atlanta to Chicago - Midway on June 2, 2022.

First and foremost, please allow me to apologize once again for what I can certainly understand was an upsetting experience for you.

After previously being assured that your clothing line was not considered offensive by Delta leadership, and more importantly, that you would absolutely be welcome to board a Delta flight wearing your T-Shirts; I can only imagine how frustrating it would have been to have experienced this type of interaction with our crew again. I cannot stress enough that I wish this had not been your experience when flying with us, or how truly sorry we are for the misapplication of our policy.

That said, I would like to once again assure you that Delta leadership has reviewed your clothing line and does not consider it to be offensive.

By way of explanation, our policy is applied every day by our many employees and, unfortunately, in cases of subjective opinion - their decisions are not always aligned with Delta leadership. Please know I provide this information for clarification purposes only and do not mean to minimize the effect this interaction has had on your trust in Delta when it comes to being able to board our flights wearing your clothing brand. Nevertheless, you can be confident that we are actively engaged with our In-Flight and Airport Leadership teams to identify the most effective and expedient way to articulate and inform our employees of these policies to ensure that these types of situations do not occur again in the future.

Keeping that in mind, while we sincerely regret any and all upset and frustration this interaction has caused, we are confident our employees decisions were not discriminatorily motivated.

Zoe, while we recognize we still have more work to do communicating the proper application of our policies, I hope you will accept our apologies once again and allow us a future opportunity to welcome you onboard. If given that chance, I am confident we will be able to restore your confidence and demonstrate that we can provide the service you have every right to expect as a Silver Medallion with us.

On behalf of all of us here at Delta Air Lines, we look forward to welcoming you and your clothing brand onboard a future Delta flight. In the meantime, please take care.

Kind Regards,

Erica Adams
Executive Assistant
Delta Air Lines, Inc.

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[ref:_00D1aY3af._5001P1PUr3K:ref]

----- Original Message -----

From: Delta Executive Office [deltaexecutiveoffice@delta.com]
Sent: 6/3/2022 12:00 PM
To: leighzoe23@gmail.com
Subject: [EXTERNAL] Flight DL2920 Second time violating my civil rights and freedom of speech [ref:_00D1aY3af._5001P1PUr3K:ref]

Hello Zoe,

RE: Case 05403159

Thank you for your email to Ed and our Executives. Please accept our apology for the events you described.

We take the concerns you have raised very seriously and are in the process of investigating them. Please be advised that this process does take some time, but we want to ensure a thorough review of the facts. While I do not anticipate an extensive delay, your continued patience in the meantime will be appreciated as we gather the information needed.

Regards,

Siobhan Connolly
Executive Assistant

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[ref:_00D1aY3af._5001P1PUr3K:ref]

----- Original Message -----

From: zoe leigh [leighthzoe23@gmail.com]
Sent: 6/2/2022 10:59 PM
To: ed.bastian@delta.com
Cc: victoria.forbesroberts@delta.com; heidi.gould@delta.com; deltaexecutiveoffice@delta.com
Subject: [EXTERNAL] Flight DL2920 Second time violating my civil rights and freedom of speech

This message is from an EXTERNAL SENDER - be CAUTIOUS, particularly with links and attachments.

Flight

DL2920

On June 3rd 2022

Waiting on my delayed flight to arrive.

I saw a flight attendant say something to the gate agent about my shirt.

I waited to board the flight last. The gate agent told me that I had to change my shirt because the pilot said I couldn't get on the flight. I started to record and I asked to speak to a supervisor. Two supervisors came over.. very nice . The gate agent , was also nice, and explained to the gate agents the situation. The supervisor asked

did I have another shirt.. I tried to show her the email from the last incident, and I was able to wear my clothing line. She said she can't do anything it's the pilot call. So I asked to speak to the Pilot.

The gate agent went to get the pilot , and the pilot wouldn't come and speak to me, but gave me an ultimatum. I don't understand why the pilot had an issue with ,when my shirt, because one I never saw the pilot ,and second, he's flying the plane, so I'm not sure why my shirt would be a concern of his. The supervisor did message the flight attendant and said she had to write the reason why I can't get on the flight, if I didn't change my shirt. It took the flight attendants 5 minutes to write something, because I guess they assumed I wasn't going to get on the flight, and be aggressive.

As I said in the email back in February. I travel very often for work. And I had to be in Chicago, at a certain time, so I had to make this flight. So I had to turn my tee shirt inside out. But to be humiliated and embarrassed. Because your staff is racist and prejudice. The world is falling apart, 10 kids were killed two weeks ago, 10 people were killed in Buffalo just shopping, a shooting in Tulsa just happened at a hospital killing 4 people. And my shirt on a flight I paid for is offensive?, to the extent, I have to change ? The plane is not a social gathering, people don't get up and start chit chatting. We remain in our seats unless we have to use the bathroom. So I don't understand how my shirt is offensive while remaining seated in my seat.

Also when I was asked to turn my shirt inside out, they also asked me , will it be any problems when I get on the plane. I wasn't rowdy in the first place, I never raised my voice, I just asked why do I have to turn my shirt inside out, when your headquarters said Delta has no dress code, and I'm able to wear my clothing

brand.

I turned my shirt inside out and proceeded to walk on the plane.. With the whole plane looking at me . I walked to my seat. A person was sitting in my seat. Another flight attendant apologized and said he assumed that I wasn't coming.

My clothes don't define the type of person I am. My brand is a lifestyle brand, that I started for this very reason. Last time I was giving 30,000 bonus miles and apology on behalf of the gate agent from the last incident, which didn't fix anything. I am losing potential money, because I can't wear my shirt, while I'm on a flight that I paid for, and on a airline that told me via email,

"That said, admittedly, our service missed the mark when you were asked to cover your shirt. In the future, please know you are welcome to wear your clothing brand without worry, as the language should not have triggered our employees to request you to change or cover it up. Rest assured, we have also taken the appropriate informative steps to internally address and follow up on this matter with all those involved at the station as well.

Zoe, I truly do wish I could take this entire experience of embarrassment and disappointment and replace it with a better one. "

And this is very inaccurate

"Our longstanding commitment to the LGBTQ+ community is a point of pride for us. On a global level, we celebrate diversity and promote unity and equal rights in every community we serve. On a personal level, we provide you with outstanding service and industry-leading amenities you need to start every journey right."

This was worst than the first experience.

My civil rights are constantly getting violated

Zoe Leigh
(312) 358 - 1112

Sent from my iPhone

CERTIFICATE OF SERVICE

Pursuant to O.C.G.A. § 9-11-5 (F) and / or U.S.C.R. 36.16 (E), I HEREBY CERTIFY that I have this day served a copy of the within and foregoing document upon all parties to this matter by electronically filing this document with PeachCourt / Odyssey (or other electronic filing system authorized by this Court) and which sends notice via that system to all parties and counsel, or by serving this document via electronic mail as follows:

Shannin Render
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Suite 190
Atlanta, Georgia 30313
shannin@renderlawfirm.com
Attorney for Plaintiff

This 19th day of August, 2022.

/s/ Brian M. Dossena
J. GREGORY GODSEY
BRIAN M. DOSSENA